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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 United States of America,) No.

9 Plaintiff,)

10 vs.)

11 The State of Arizona;)
12 Janet Napolitano, Governor of)
13 the State of Arizona;)
14 The Arizona Department of)
15 Juvenile Corrections, Michael)
16 Branham, Director,)
17 Joseph Jericho, Superintendent,)
18 Adobe Mountain School;)
19 Judy Dyess, Superintendent,)
20 Black Canyon School;)
21 Manuel Lopez, Superintendent,)
22 Catalina Mountain School,)

23 Defendants.)

ORDER FOR CONDITIONAL
DISMISSAL PURSUANT TO
RULE 41(a)(2)

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25 Plaintiff, the United States of America, and Defendants,
26 the State of Arizona, et al., have determined that the
27 interests of all concerned parties can best be served by
28 entering into a Memorandum of Agreement for the implementation
of needed improvements in the operation of Adobe Mountain
School, Black Canyon School and Catalina Mountain School,
three juvenile justice facilities operated by the Arizona
Department of Juvenile Corrections. In recognition of these
interests and to avoid adversarial litigation, the parties
have entered into a Memorandum of Agreement, attached to their

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3 Joint Motion for Conditional Dismissal, to settle this matter
4 and have moved this Court, pursuant to Fed. R. Civ. P.
5 41(a)(2), to conditionally dismiss this matter subject to the
6 full implementation of the Memorandum of Agreement.

7 Having reviewed the joint motion and for good cause
8 shown;

9 IT IS HEREBY ORDERED that this case is conditionally
10 dismissed and shall be placed on the inactive docket pending
11 compliance with the Memorandum of Agreement lodged with the
12 Court. This Court will retain jurisdiction over the case,
13 pending compliance with the Memorandum of Agreement, until a
14 final dismissal with prejudice is entered.

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16 DATED this ____ day of _____, 2004.

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18 United States District Judge
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